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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

8 NICHIA CORPORATION, No. C-06-00162 MMC (JCS)
9 Plaintiff(s),

10 v. [Docket No. 148]

11 | SEOUL SEMICONDUCTOR, LTD..

11 SEOUL SEMICONDUCTOR, LTD.,
12 ET AL., (E-FILING CASES)

12 || Defendant(s). /

14 || TO ALL PARTIES AND COUNSEL OF RECORD:

15 On November 13, 2006, Plaintiff, Nichia Corporation (“Nichia”) and Defendants, Seoul
16 Semiconductor, Ltd. and Seoul Semiconductor, Inc. (“Seoul”), filed a joint letter brief regarding four
17 discovery disputes. The Court treats the letter as a motion to compel (the “Motion”). The Motion
18 came on for hearing on December 8, 2006, at 9:30 a.m. Kenneth E. Krosin appeared as counsel for
19 Nichia; Beth H. Parker appeared as counsel for Seoul. Having read the joint letter and heard the
20 arguments of counsel, for the reasons stated on the record, and good cause appearing, IT IS
21 HEREBY ORDERED that the Motion is GRANTED in part and DENIED in part as follows:

22 1. Foreign sales and marketing information of Defendants. The Court ORDERS Seoul
23 to produce information on the sales and marketing of the allegedly infringing product
24 outside the United States. The Court ORDERS lead trial counsel for Plaintiff and for
25 Defendants to confer in person immediately after the hearing on December 8, 2006,
26 in an effort to agree upon the categories of documents within the foreign sales and
27 marketing materials that will be produced. The parties are also directed to meet and
28 confer regarding any proposed dates for the completion of all productions of

1 documents in this case. The parties shall provide a joint letter to the Court containing
2 the agreed-upon scope of the production of the foreign sales and marketing
3 documents, as well as proposals for the completion of document discovery, **no later**
4 **than December 18, 2006.**

5 2. The Court DENIES the request for the production of information on products other
6 than Seoul's 902 Series LED, which is named in the complaint.
7 3. The Court DENIES the request for the production of information regarding Seoul's
8 sales and marketing documents dated before the issuance of the patent in this case.
9 4. The Court declines to order the production of Nichia's pre-filing infringement
10 analysis except as otherwise previously agreed to by the parties.

11 IT IS SO ORDERED.

13 Dated: December 11, 2006

14 
15 JOSEPH C. SPERO
16 United States Magistrate Judge